

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/403,955	KASAFIREK ET AL.	
	Examiner	Art Unit	
	Andrew D. Kosar	1654	

All Participants:

(1) Andrew D. Kosar.

(2) Betty Zea.

Status of Application: examination on the merits

(3) _____.

(4) _____.

Date of Interview: 30 August 2005

Time: 09:00

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☒ Yes ☐ No

If Yes, provide a brief description: *draft proposal of new claims, corresponding to amendments of claims 1-4.*

Part I.

Rejection(s) discussed:

potential 112 2nd issues and potential claim objections

Claims discussed:

1-4 (and new proposed claims 5-8)

Prior art documents discussed:

US 4,528,133 and US 4,554,100


Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner contacted Applicant's agent in order to correct potential 112 2nd issues and claim objections. The examiner suggested that new claims 5-8 be drafted as appended, replacing (by cancelling) claims 1-4, in order to place the claims in condition for allowance. The examiner noted that in claim 1 'wherein A is different than B' is unnecessary, as the chain of carboxypropionyl or carboxybutyroyl are shorter than 8 carbon atoms, and thus A is inherently not the same as B.

Further, the claims were suggested to be drafted in accordance with 37 CFR 1.75(i). the examiner further suggested replacing 'means' with 'is' and 'general structure I' with 'formula (I)'. The methods were suggested to be amended to recite the active step of forming the product. the claims were further suggested to be amended such that claim 4 now recites the correct product formed via the method. As originally presented, the method did not form the compound Y is B, but rather Y is A. The claims are suggested to be amended to be consistent, and have proper antecedent basis. Applicant's representative was further advised that prosecution on the merits would be closed in accordance with Ex parte Quayle, due to outstanding formal matters, specifically with regards to the sequence listing.

Notice to Comply	Application No. 09403955	Applicant(s) KASAFIREK ET AL.	
	Examiner Andrew D. Kosar	Art Unit 1654	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

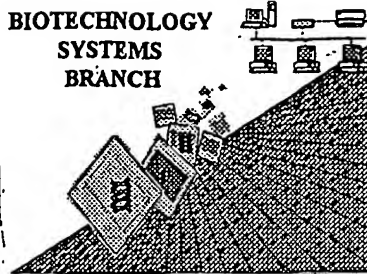
PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/403,955
Source: 01 PF
Date Processed by STIC: 12/17/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by the treatment given to all mail coming via the Brentwood Mail Facility.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom, including:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)

2. U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202

3. Hand Carry directly to:

U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name,
1911 South Clark Street, Crystal Mall One, Sequence Information, Arlington, VA 22202

Or

U.S. Patent and Trademark Office, 2011 South Clark Place, Customer Window, Box Sequence, Crystal Plaza Two,
Lobby, Room 1B03, Arlington, Virginia 22202

4. Federal Express Delivery, 2011 South Clark Street, Crystal Plaza 2, Room 1B03-Mailroom, Box Sequence,
Arlington, VA 22202

Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/403,955

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFT

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading) ...
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped

 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.
- 10 Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or Artificial Sequence
- 11 ✓ Use of <220> Sequence(s) 1-5 missing the <220> "Feature" and associated numeric identifiers and responses.
 Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
 (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

OIRÉ

RAW SEQUENCE LISTING
 PATENT APPLICATION: US/09/403,955

DATE: 12/17/2001
 TIME: 15:31:23

Input Set : A:\kasafirek sequence.txt
 Output Set: N:\CRF3\12172001\I403955.raw

Does Not Comply
 Corrected Diskette Needed

3 <110> APPLICANT: The Procter & Gamble Company
 4 Kasafirek; Evzen
 5 Sturc, Antonin
 6 Pihera, Pavel
 7 Sedo, Aleksii
 9 <120> TITLE OF INVENTION: OLIGOPEPTIDIC INHIBITORS OF ELASTASES AND METHODS OF
 PREPARATION THEREOF

11 <130> FILE REFERENCE: OLIGOPEPTIDIC INHIBITORS
 C--> 13 <140> CURRENT APPLICATION NUMBER: US/09/403,955
 C--> 13 <141> CURRENT FILING DATE: 2001-12-17

13 <160> NUMBER OF SEQ ID NOS: 5
 15 <170> SOFTWARE: PatentIn version 3.1
 17 <210> SEQ ID NO: 1

18 <211> LENGTH: 4

19 <212> TYPE: PRT

20 <213> ORGANISM: artificialsequence

22 <400> SEQUENCE: 1

24 Lys Ala Ala Pro

25 1

28 <210> SEQ ID NO: 2

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30 <212> TYPE: PRT

31 <213> ORGANISM: artificialsequence

33 <400> SEQUENCE: 2

35 Lys Ala Ala Pro

36 1

39 <210> SEQ ID NO: 3

40 <211> LENGTH: 5

41 <212> TYPE: PRT

42 <213> ORGANISM: artificialsequence

44 <400> SEQUENCE: 3

46 Lys Ala Ala Ala Pro

47 1 5

50 <210> SEQ ID NO: 4

51 <211> LENGTH: 4

52 <212> TYPE: PRT

53 <213> ORGANISM: artificialsequence

55 <400> SEQUENCE: 4

57 Lys Ala Ala Pro

58 1

61 <210> SEQ ID NO: 5

62 <211> LENGTH: 5

63 <212> TYPE: PRT

64 <213> ORGANISM: artificialsequence

66 <400> SEQUENCE: 5

68 Lys Ala Ala Ala Pro

69 1 5

Artificial Sequence

also, see item 11 on Enon

Summary
 Sheet

same enon

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/403,955

DATE: 12/17/2001

TIME: 15:31:24

Input Set : A:\kasafirek sequence.txt

Output Set: N:\CRF3\12172001\I403955.raw

L:13 M:270 C: Current Application Number differs, Replaced Current Application No

L:13 M:271 C: Current Filing Date differs, Replaced Current Filing Date